

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

-

WRIT PETITION NO : 3528 of 2005

Between:

- 1.B. Lakshmi, W/o. Bhasha, Schedule Tribe,
R/o. Araku Tonw Ship-A, of Araku Valley, Gandhi Park,
Araku, Vishakapatnam.
- 2.Kothuru Sattibabu, S/o. Late Narayana,
R/o. Araku Tonw Ship-A, of Araku Valley, Gandhi Park,
Araku, Vishakapatnam.
- 3.Kalidindi V. Srinivas Raju, S/o. Late Suryanarayana Raju,
R/o. Araku Town Ship-A, of Araku Valley, Gandhi Park,
Araku, Vishakapatnam.
- 4.Vantala Sanyasi, S/o. Tammaiah, Schedule Tribe,
R/o. Araku Tonw Ship-A, of Araku Valley, Gandhi Park,
Araku, Vishakapatnam.
- 5.K. Nirmala, D/o. late Ananda Rao, Schedule Tribe
R/o. Araku Tonw Ship-A, of Araku Valley, Gandhi Park,
Araku, Vishakapatnam.
- 6.Saravakota latcha, S/o. Sri Ramulu, Schedule Tribe
R/o. Araku Tonw Ship-A, of Araku Valley, Gandhi Park,
Araku, Vishakapatnam.
- 7.Madem Simhachalam, S/o. Late Somulu,
R/o. Araku Tonw Ship-A, of Araku Valley, Gandhi Park,
Araku, Vishakapatnam.
- 8.Pittala Rambabu, S/o. Adinarayana,
R/o. Araku Tonw Ship-A, of Araku Valley, Gandhi Park,
Araku, Vishakapatnam.
- 9.Vadigiseti Ravi and Prasad, S/o. Rama Swamy,
R/o. Araku Tonw Ship-A, of Araku Valley, Gandhi Park,
Araku, Vishakapatnam.
- 10.Kukkala Suri Babu, S/o. Veera Raju,
R/o. Araku Tonw Ship-A, of Araku Valley, Gandhi Park,
Araku, Vishakapatnam.
- 11.S. Murali Mohan Kumar, S/o. S.S. N. Murthy

R/o. Araku Tonw Ship-A, of Araku Valley, Gandhi Park,
Araku, Vishakapatnam.

12.P. Satya Rao & Shiva, S/o. Swamy,
R/o. Araku Tonw Ship-A, of Araku Valley, Gandhi Park,
Araku, Vishakapatnam.

13.P. Satya Rao, S/o. Late Seetharamaiah,
R/o. Araku Tonw Ship-A, of Araku Valley, Gandhi Park,
Araku, Vishakapatnam.

14.K. Govinda Raju, S/o. Swamy,
R/o. Araku Tonw Ship-A, of Araku Valley, Gandhi Park,
Araku, Vishakapatnam.

..... PETITIONERS

AND

1 The District Collector & I.T.D.A. Chairman, Paderu, (Integrated Tribal

Development Authority) Visakhapatnam District.

2 The Project Officer, I.T.D.A. Paderu, Visakhapatnam District.

3 The Sub Collector, Paderu, Visakhapatnam District.

4 The Mandal Revenue Officer, Araku Valley, Visakhapatnam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction or writ more particularly one in the nature of Writ of Mandamus directing the respondents to consider the case of the petitioners for providing the alternative site to the petitioners for erecting wooden shops.

(Prayer is amended as per Court Order dated 13.06.2005 in W.P.M.P.No.7867 of 2005.)

Counsel for the Petitioners: MR.G.RAVI MOHAN

Counsel for the Respondents: GP FOR SOCIAL WELFARE

The Court at the admission stage made the following:

ORDER:

This writ petition is filed by the petitioners, who are both tribals and non-tribals, seeking a direction to the respondents to consider their case for providing alternative sites.

According to the petitioners, they occupied and erected shops more than 30 years back at Market Street, Gandhi Park, Arakuvally, Visakhapatnam District and have been carrying on their respective businesses. However, the respondent-authorities have demolished their shops without giving any notice. The learned counsel for the petitioners sought for a direction to the respondents to provide alternative sites to the petitioners as similar direction had already

been granted in W.P.M.P.No.10466 of 2004 in W.P.No.8043 of 2004 by order dated 28.06.2004 and in fact it is stated that as per the said directions, the petitioners therein were provided with alternative sites.

Under the above circumstances, the petitioners are directed to make a representation to the respondent-authorities seeking allotment of alternative sites and if such a representation is made, the respondents are directed to consider the same and pass appropriate orders within a period of six weeks from the date of making such representation by the petitioners.

The writ petition is accordingly disposed of. No costs.

13.06.2005

VGB

To

1 The District Collector & I.T.D.A. Chairman, Paderu, (Integrated Tribal

Development Authority) Visakhapatnam District.

2 The Project Officer, I.T.D.A. Paderu, Visakhapatnam District.

3 The Sub Collector, Paderu, Visakhapatnam District.

4 The Mandal Revenue Officer, Araku Valley, Visakhapatnam District.

5 2CCs to the Government Pleader for Social Welfare, High Court Buildings,
Hyderabad (OUT).

6 2CD copies.